

REMARKS

Claims 1-8 are pending in the application.

Claims 2-6 are allowed. Claims 1, 7 and 8 stand rejected.

Claims 7 and 8 have been amended herein. In claim 7, the term "the high-order network" has been replaced with the term "the low-order network" to correct a clerical error.

Similarly, in claim 8, the term "the internet protocol network" has been replaced with the term "the high-order network" to correct a clerical error. No new matter is added by the amendments.

Claims 1, 7 and 8 have now been rejected under 35 U.S.C. § 103(a) as unpatentable over Sieppi (U.S. 6,577,637) in view of Vargo (U.S. 6,356,545).

In reviewing claims 1, 7 and 8, it is respectfully submitted there are several differences between the claimed invention and the recited combination of references. For example, applicant's judging section judges whether the compression form set by the setting section coincides with the compression form of the compressed data received from the circuit switched network. In particular, claim 1 relates to a gateway apparatus that includes, among other things, a setting section setting a compression form for compressing the data being transmitted to the internet protocol network, wherein the compression form includes a transmission rate, and a *judging section judging whether the compression form set by said setting section coincides with the compression form of the compressed data received from the circuit switched network* or not. It is respectfully submitted that at least the judging section is not taught by the combination of references.

The Office Action asserts that the SSTDM of Sieppi discloses these features based on the two states of the CODEC in figure 1 of Sieppi (Office Action; page 3, lines 10-12; citing Sieppi; col. 7, lines 13-40; col. 9, lines 43-54; and col. 12, lines 26-50). However, it is respectfully

submitted that there is no disclosure, or even suggestion, in the cited sections of Sieppi of a judging section, as recited in the claims. There is no description of the SSTDM judging whether a compression form set by a setting section coincides with the compression form of compression data *received* from the circuit switched network. Sieppi only apparently judges the presence of a CODEC and teaches nothing of judging the compression form of received data to determine whether it coincides with the compression form set by a setting section, as claimed in claim 1.

In other words, there is no description that the SSTDM understands what form the compressed data is taking from the mobile station nor is there any description of the setting section and then judging by the judging section a result of the setting. The disclosure in Sieppi apparently only relates to the SSTDM determining whether the receiving second subscriber station is capable of performing speech encoding/decoding. Sieppi apparently discusses the feature of determining, based on an IP-address and a telephone number of the subscriber station, if the speech encoding (for instance, compression) is necessary or if the speech decoding (for instance, decompression) is necessary. Sieppi apparently also discusses the feature of determining whether compression is performed or not based on utilization of CODEC of the subscriber station.

However, Sieppi does not disclose or even suggest that the SSTDM disclosed therein judges whether *the compression form* set by said setting section *coincides with the compression form* of the compressed data *received from the circuit switched network* or not.

Applicant submits Vargo also fails to teach the feature of a judging section. Nowhere does Vargo disclose or suggest passing though packets if it is judged that the *set compression form* is the same as that form received from the circuit switched network.

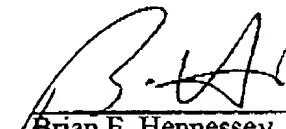
For at least the foregoing reasons it is respectfully submitted that Sieppi in combination with Vargo does not disclose, or even suggest, all of the features in claim 1.

Applicant's claims 7 and 8 also include a feature of a judging section judging whether the compression form set by said setting section coincides with the compression form of the compressed data received from the high-order network or not. The judging section in claims 7 and 8 is therefore different from the combination of the cited references. It is therefore requested that the rejection of these claims be withdrawn.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. The Examiner is invited to telephone the undersigned attorney at the number listed below prior to issuing a further Action in order to further prosecution.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,



Brian E. Hennessey
Reg. No. 51,271

CUSTOMER NUMBER 026304
Telephone: (212) 940-6311
Fax: (212) 940-8986 or 8987
Docket No.: FUJY 16.705 (100794-11345)
BEH:fd